

REMARKS

Paragraph 0005 is amended to correct line 2 to read "lash adjusters" as was intended and is used in the previous paragraph 0004 of the specification.

Paragraph 0022 is amended at the indicated portion to read "high engine speed and intermediate oil temperature", which corrects the meaning and is supported by similar wording in claim 1, line 10 and claim 6, line 3, as well as in the specification, paragraph 0005, lines 5-7.

In the Office Action, claims 1-3 and 6 were rejected under 35 U.S.C. 103(a) as unpatentable over US 6,557,518 Albertson et al. in view of US 4,729,349 Sonoda et al. Reconsideration is requested.

Albertson is relied upon for its showing of an engine with switching valve lifters supplied with pressurized oil from an oil pump connected with a pressure control valve that controls oil pressure to the lifters under normal operating temperatures. Sonoda is alleged to disclose an auxiliary pressure relief valve, as recited in claim 1 of the present application.

However, Sonoda fails to disclose all the features attributed to it in the Office Action and relied upon in combination with Albertson to support the rejections. For example, Sonoda discloses only conventional stationary hydraulic lash adjusters which take up lash in his overhead cam system. But these do not comprise cylinder deactivation valve lifters as recited in claim 1 since they cannot perform valve deactivation functions.

Further, Sonoda's system includes several orifices J1-J5 used for controlling oil flow to the various oil distribution passages and bleed passages, but it does not disclose an oil pressure control associated with the oil pump as called for in claim 1. Also, without such a control, the pressure relief valve 37 of Sonoda is not "an auxiliary pressure relief valve" as called for in claim 1 but, rather, only a single pressure relief valve for controlling oil pressure by bypassing oil to one of the cam journals.

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Finally, there is no showing of motivation in the Albertson and Sonoda disclosures for adding the relief valve of Sonoda to the system of Albertson, since there is no suggested need for a second, or auxiliary, relief valve in the Albertson deactivation apparatus.

For all of these reasons, the rejection of claims 1-3 on the combination of Albertson and Sonoda is not supported by an adequate basis and, accordingly, should be withdrawn.

Similarly, the rejection of claim 6 on the Albertson-Sonoda combination is considered to be without basis for the reasons cited regarding claims 1-3. Neither reference suggests a reason for providing an auxiliary relief valve to further limit oil pressures in a deactivation valve lifter system and neither reference shows such a valve. Accordingly, withdrawal of the rejection of claim 6, as well as those of claims 1-3, is requested.

This paper is believed to be fully responsive to the issues raised in the Office Action and to place this case in condition for allowance. Favorable action is requested.

Respectfully submitted,

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